G. R. S. 58]

*Previous references.*

File No. 305 ~~235~~ 96

191 .

Serial Nos. 1-3

( L. R. )

*Later references.*

# GENERAL AND REVENUE SECRETARIAT.

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*Serial Nos.* 1 - 3

**Part B for**

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SUBJECT.

Remission of wet ~~cesses~~ assessment on certain lands below the breached tank of Iyoondahalli ~~Hadibanda~~ Iyusibanda — taluk

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W D 1351—GPB—20,000—15-12-15

Indexed by

Reg. [illegible]

Correspondence ending with Collr's D.O. 564 of 29th July 1896, 131 from the Dy Commr Kolar, recommending the remission of the moiety of Rs 11-6-0 for 1893-94 of certain assessments of certain land under the Govt. Challi Tank in the Gopinaidanoor Talook, which breached in 1883-84

Order thereon:

The Dy Commr's allegation is drawn to the orders conveyed in Govt Rs; No 447-54 of 25th July 1892, R 229-92 under which the sanction of the Govt is not required in Cases in which remissions are granted under the rules. The Dy Commr should satisfy himself in this particular case that the applt

Has Registered Revision Petn been presented in time?

Is the Govt Order a Govt Order? If appellate Order, has it been referred by the Govt.

Full credit was given by the Asst Commr - although the Govt Order was in dispute - referred.

The Khatedars may Claim relief on the strength of the remission granted

The Order of 1892 refers to Govt Order No 24 Revenue

Dismissed

28/9/96

A Mahomed Hanifsab Khan Bahadur

Petitioner and Respondent

Petition dismissed

No Costs

Petitioner's application for the necessary order in the matter of the Petition for Revision of Case No 28 of 1896 and for the Petition for Revision of Case No 29 of 1896 and for the Petition for Revision of Case No 30 of 1896 and for the Petition for Revision of Case No 31 of 1896 and for the Petition for Revision of Case No 32 of 1896 and for the Petition for Revision of Case No 33 of 1896 and for the Petition for Revision of Case No 34 of 1896 and for the Petition for Revision of Case No 35 of 1896 and for the Petition for Revision of Case No 36 of 1896 and for the Petition for Revision of Case No 37 of 1896 and for the Petition for Revision of Case No 38 of 1896 and for the Petition for Revision of Case No 39 of 1896 and for the Petition for Revision of Case No 40 of 1896 and for the Petition for Revision of Case No 41 of 1896 and for the Petition for Revision of Case No 42 of 1896 and for the Petition for Revision of Case No 43 of 1896 and for the Petition for Revision of Case No 44 of 1896 and for the Petition for Revision of Case No 45 of 1896 and for the Petition for Revision of Case No 46 of 1896 and for the Petition for Revision of Case No 47 of 1896 and for the Petition for Revision of Case No 48 of 1896 and for the Petition for Revision of Case No 49 of 1896 and for the Petition for Revision of Case No 50 of 1896 and for the Petition for Revision of Case No 51 of 1896 and for the Petition for Revision of Case No 52 of 1896 and for the Petition for Revision of Case No 53 of 1896 and for the Petition for Revision of Case No 54 of 1896 and for the Petition for Revision of Case No 55 of 1896 and for the Petition for Revision of Case No 56 of 1896 and for the Petition for Revision of Case No 57 of 1896 and for the Petition for Revision of Case No 58 of 1896 and for the Petition for Revision of Case No 59 of 1896 and for the Petition for Revision of Case No 60 of 1896 and for the Petition for Revision of Case No 61 of 1896 and for the Petition for Revision of Case No 62 of 1896 and for the Petition for Revision of Case No 63 of 1896 and for the Petition for Revision of Case No 64 of 1896 and for the Petition for Revision of Case No 65 of 1896 and for the Petition for Revision of Case No 66 of 1896 and for the Petition for Revision of Case No 67 of 1896 and for the Petition for Revision of Case No 68 of 1896 and for the Petition for Revision of Case No 69 of 1896 and for the Petition for Revision of Case No 70 of 1896 and for the Petition for Revision of Case No 71 of 1896 and for the Petition for Revision of Case No 72 of 1896 and for the Petition for Revision of Case No 73 of 1896 and for the Petition for Revision of Case No 74 of 1896 and for the Petition for Revision of Case No 75 of 1896 and for the Petition for Revision of Case No 76 of 1896 and for the Petition for Revision of Case No 77 of 1896 and for the Petition for Revision of Case No 78 of 1896 and for the Petition for Revision of Case No 79 of 1896 and for the Petition for Revision of Case No 80 of 1896 and for the Petition for Revision of Case No 81 of 1896 and for the Petition for Revision of Case No 82 of 1896 and for the Petition for Revision of Case No 83 of 1896 and for the Petition for Revision of Case No 84 of 1896 and for the Petition for Revision of Case No 85 of 1896 and for the Petition for Revision of Case No 86 of 1896 and for the Petition for Revision of Case No 87 of 1896 and for the Petition for Revision of Case No 88 of 1896 and for the Petition for Revision of Case No 89 of 1896 and for the Petition for Revision of Case No 90 of 1896 and for the Petition for Revision of Case No 91 of 1896 and for the Petition for Revision of Case No 92 of 1896 and for the Petition for Revision of Case No 93 of 1896 and for the Petition for Revision of Case No 94 of 1896 and for the Petition for Revision of Case No 95 of 1896 and for the Petition for Revision of Case No 96 of 1896 and for the Petition for Revision of Case No 97 of 1896 and for the Petition for Revision of Case No 98 of 1896 and for the Petition for Revision of Case No 99 of 1896 and for the Petition for Revision of Case No 100 of 1896

~~is~~ entitled to the Remission ~~remission~~ under the Rules contained in Govt. Rly. ~~it~~ Manual Vol. I, Part 92—800 / Sr. No. 214 of the Rly. Board ~~regarding~~ ~~to state whether~~ ~~the~~ ~~Railway~~ ~~ought~~ ~~to~~ ~~sanction~~ ~~the~~ ~~same~~ ~~or~~ ~~not~~ ~~and~~ ~~if~~ ~~so~~ ~~to~~ ~~what~~ ~~extent~~ ~~and~~ needful. It is presumed that ~~the~~ ~~Railway~~ ~~ought~~ ~~to~~ ~~sanction~~ the same ~~or~~ ~~not~~ ~~and~~ ~~if~~ ~~so~~ ~~to~~ ~~what~~ ~~extent~~ ~~and~~ the same may be allowed / granted / restored.

23/11/56

Dy. Controller Karachi

with Vch: records

Submitted replies to queries & letter as noted.

23/11/56

3 Inwards 4...

# Memo.

Docket No. 564/131 dated 25th July 1896 from the Deputy Commissioner of the Naini District.

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With the above, the Dy Commissioner submits a statement showing the particulars of the assessment amounting to Rs 11-6-. proposed to be remitted on ~~account~~ land situated below the received bank of Gomti in the ajoi-bedwar Taluki.

2. The lands in question lies a Maafidaroad (Rent free) tenure subject to payment of only 3/4 th of the assessment.

on lands thereunder.

Owing to the default made
by Raghunandan Chaudhri
of the present Khatedar tenure,
in the payment of the assess-
ment, the Chaudhri remission was withheld &
the lands were sold in 1890-91
subject to payment of full
assessment. Hence, the
Chaudhri purchased the
lands which were however
held by sanction on payment
of full assessment, notwithstanding that
the lands
breached on the 3rd October
1892 and the Kharif were
lying waste upto the year
Fasli 1893-94.

3. The Revenue papers
in the file show that, for the first time
applied to the Sub Division
Officer, Chhibramau for the
[redacted], for the remission
of the moiety of the wet assess-
ment on the land flooded
before the tenth for the year
Fasli 1893-94 & this is recommended

Note.

In his deposition, Ramadhin
says that as no crops were
raised on the land in question
during the year Fasli (1893-94)
the Sub Divisional Officer was pleased
to promise the remission of
the moiety of wet assessment therein,
but denies that Chaudhri has
no claim for the refund of the
money paid by him for previous years
and that the lands were under
cultivation. He according to
the Patwari's accounts the lands
were lying waste. Please see the
Ver Statement marked

on

on the ground that the tank was out of order.

4. The area and assessment of the land below the tank are as given in the margin, and the Mutadar has paid the full assessment thereon upto the year Navdanna (1892-93).

A sum of Rs 200/- is said to have been sanctioned by the Government for the stone and masonry work connected with the restoration of the tank, and the Mutadar who is himself the contractor, has, besides executing earthwork at his own cost, to the extent of Rs. 47-3-0, furnished a portion of the masonry work (Rs. 100 worth) and has promised to complete the work by the end of June 1896.

| Survey No. | Wet Area. A. G. | Assessment Rs. as. P. |
|---|---|---|
| 7. | 8-25. | 22-12-0 |

5. From the above, it will be seen that the tank in question is a good tank and the Ryots

~~suspension~~ the remission
of the moiety of wet assessment
laid down in Government
Pro: No 9792-800 (21) dated
6th March 1890 applying to
the lands situated hereunder,
~~Cornbrash~~, no distinction being made therein
between major & minor tanks.
Remissions granted under
these Rules do not require
the sanction of Government.
Please see Government
Pro: No 1447-54 dated 25th
R 229-92
July 1892 (Serial No 24).
Submitted for orders.

18/10/96

Submitted

The remission appears to have
been promised verbally
by the former Sub-Divisn
Officer - chiefly on the
ground that Shanmachar
did earth work for
tank. (Anai Pillai No:
310 of 22.11.95)

It is a minor port
tank. Shanmachar
was bound to repair it

and no concession need be thereon to him on that account.

If in order to give him some concession on account of this having done earth work & the tank, the case be treated under the rule relating to the remission of half the bet assessment on lands below breaches & tanks, the applicant may fairly launch a claim for refund of assessment collected in previous years - He is estopped from claiming remission under any these rules.

Submitted for orders

21
26/10/96

Put up next week

Issue to Dr.

For full text see

a cultivation was claimed.
There is nothing below
that the year 1893-94 was
to be taken as the fourteenth
year. If this had remained
a Hathlagana land,
Samaphia could not
have claimed a remission.
The fact that ceased to
be such owing to his
own default, + that
subsequently happened to
do the earth more
which he was bound to
do, cannot entitle
him to the remission
for which he has not
been recommended.

27-10-25

This is the case of a
breach. Rule 2 or 6
No 9792-800 of 5th March
Cr 214
90 directs that "when
by breach the work
of irrigation becomes
deficient or
irregular there shall
be deducted during
the years during
which the waste water
remains unrestored
and unavailable
proportionate reduction

assessment of half the full
water assessment". This
rule applies in the present
case - Pabana relinquished
his lands. Remission.
There is no express con-
dition of the grant
The land must there-
fore be taken by the Govt
so the remission will
not continue. It
has been pronounced
a way - Let it be
sanctioned - but

Mr Nile Roth, asst engr
sent cheque for Rs refunded.
Mrs
5/11/96

Amount of cheque

2

Draft or Copy

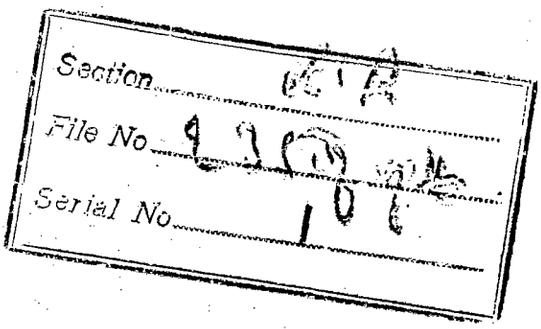
To

Re Depot Communication

Kelar Bh.

Dated 17th July 1896.

I.T. 742 dl 21-7-96
A 4163-92 1 file




With reference to D.O. note of 10th June 1896, from the Hon'ble Chief Secretary to the address of the Manager Devons Office asking him to make certain alterations in the Depot docket No 4708 of 1824 / 1319 & the Land Records, relative to certain remarks proposed for the Gondalvoor Jalaya observations he has the honor to state that such Communications are informal & therefore cannot be received

docket No 4708 of 1824 / 1319 is herewith returned for verification & correction if necessary

~~Memo~~ The D.C. Attee
Cochin's No 4714 of The
13211
9th June 1896, which relates
to the Land Revenue
Remission in the Cochin
= Kallapuin Taluk ~~Kasaragod~~ Hqrs.
already been disposed of
by Govt: Pro: No
11293 of 30th June 96.
R 4434

BO.

21/7/96

29/7 [illegible] for C.S.

Gen. 31]

REVENUE DEPARTMENT
189 6 R 595
3 - AUG. 96
DEWAN'S OFFICE

Section
File No
Serial No

From

To

Dated
Despatched
Received

General No. 564
No. 131

Inclosure No. 2 & 18 slips

Nov 8/8/96

C.S.

8/8/96

Reference

6/8

Rev

7 8 96

x Sho 42

Subordinate

28/8/96

x Sho 39½

Statement showing the irrecoverable balance of the Goa Sirdesai Talukdari Kotar Division for the year 1885-86

| 2 | 3 | 4 | 5 | 6 | 7 | | | 8 | |
|---|---|---|---|---|---|---|---|---|---|
| Name of village | Serial No. | Name of defaulter or Khatedar | Years to which the balance pertains | Particulars of the balance such as Land Revenue Mohatarfa | Amount under each head. | | | Total. | Grounds of recommendation of the Sub Division Officer |
| Goondithalli | 1 | Gundappa and Ambha Nadar Samachar | 1892-93 | Land Revenue | 11 | 6 | - | 11 | The balance sued for became irrecoverable owing to the failure of the crop which was reaped accidentally on the 3rd October 1893 and lay waste up to 1893-94. The Court permission to recover the arrears of assessment was obtained on the 7th January 1895 but the defendant died on the 12th January 1895 and his property was found insufficient to satisfy the claim. |
| | | | | | | | | | The remission of assessment ceased to be given in 1894-95 and the whole of the arrears remained to be realized from Gundappa Samachar. |
| | | | | | | | | | Rs. 22-2-0 which is the balance amount for Tupga became due and was not realized. Inasmuch as the claim for remission of the said assessment has not been received in 1893 and not received the Sub Division Officer Mr. Krishnaswamyingar at the time of Jamabandi examining the Kasool Satwadant is pleased to have directed the Amildar verbally to drop said assessment, there being no

moiety of the arrear (ie) Rs 11-6-0 was realized and the other moiety brought on the remission Statement.

The Kanarese Statement received from the Amildar of Gokidmur with his Bills No 142 dated 6-8-95 is appended for further particulars

(Sd) B.C. Krishnaiengar
Sub Division Officer
Chickballapur

"Copy"

Nirayandiyanna
for Offg Deputy Commissioner
Kolar District

Taken

moiety of the arrear (i.e) Rs 46-0 was realized and the other moiety brought on the remission Statement

The Kanarese Statement received from the Amildar of Gobichettipalayam vide his Kaifiat No 42 dated 6-8-95 is appended for further particulars

(Sd) B.G. Krishnaiengar
Sub-Division Officer
Erode Taluq

"Copy"
Manager
for Offg Deputy Commissioner
Erode District

Statement showing the irrecoverable balance of the Goribidanur Taluk Kolar Division for the year 1895-96

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | | | 8 | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Name of village | Serial No. | Name of defaulter or Khatedar | Fasli years to which the balance pertains | Particulars of the balance, such as Land Revenue Mohatarfa | Amount under each head. | | | Total. | Grounds of recommendation by the Sub-Division Officer |
| 1 | Goondihalli. | 1 | Gundappa and Ambha. Gadar Samachar | Vijaya 1893-94 | Land Revenue | 11 | 6 | - | 11 6 - | The land distrained below the Kharif was reaped accidently on the 3rd October 1893, and lay waste till 1895-96. The Tahsildar remission arrears to have been granted at Rs 7 and the Shanabhogar Rs 4 were collected. The land was sold in Fasli for the arrears (11) minus the above said remission, but the Sadavandrachar and it was purchased by Gundaiah. |
| | | | | | | | | | | The Shanbhogs remission of assessment ceased to be given in Fasli and the whole of the arrears referred to above has been received from Ambhavadar Samachar. |
| | | | | | | | | | | Rs 22-2-0 which is the Kandayam amount for Vijaya became due and was not realized. Samachar then claimed the remission of one half of the assessment as the land had been treated in 1893 and not retained. The Sub-Division Officer Mr. A. Krishnaswamyingar at the time of Samaland examining the Tasol Sale account is pleased to have directed the Amildar verbally to levy half assessment, the other half |

Memorandum

Section P.R
File No 20/1496
Serial No 3

(42)

No 1357
R.T. 163-72
1.3.14
16
1911